

Exhibit 4: Petitioners Email Communications with SCRAA on unlawful withholding under California Public Records Act and Intent to File Court Case

Subject: Re: Response to 2nd Public Records Request
Date: Thursday, November 4, 2010 2:22 PM
From: Warren Havens <warren.havens@sbcglobal.net>
To: "Steven D. Miller" <SMiller@hansonbridgett.com>
Cc: Anna Barbour <Abarbour@hansonbridgett.com>, Jimmy <jstobaugh@telesaurus.com>
Conversation: Response to 2nd Public Records Request

Mr. Miller,

I appreciate your making clear your revised position that you have decided to not discuss with me.

You invited my call below with or without counsel. I responded that I can discuss with you. I handle a lot of our legal work and have handled more than most attorneys over decades. Of course, when we have legal counsel involved in a matter, then that counsel will discuss with opposing counsel to the degree then useful.

I do not expect to change the position I stated to SCRAA in my email below after involving counsel, and in any case, neither SCRAA nor you have provided any response to date. I explained my deadline of end of tomorrow: that is based off of SCRAA's most recent filing with the FCC for a conditional grant (not properly or timely served on my companies) which requires my companies' response by a date early next week.

Since, as I have explained to SCRAA directly and in my FCC pleadings, the documents sought by and the SCRAA responses in this SCRAA CPRA matter are among the component issues before the FCC in the MCLM-SCRAA spectrum assignment application proceeding (including the related public docket on that application), I intend to use this email string in a FCC pleading to show the status of this component. If a party wants to discuss off the public record, I generally am willing to do that to some extent, but also do not think anything in this FCC matter should be off the record.

In any case, as in the past, if SCRAA further chooses not to discuss with me, that is its choice. Besides the CPRA matter, this is an issue I raised before the FCC, as you know if you read the filings in this matter: that I have attempted to resolve matters with SCRAA such that it may obtain use of the subject spectrum under reasonable terms and conditions which include, to begin with, its open disclosure of matters it asserts before the FCC (its PTC plan, its relation with PTC 220, the amount of spectrum it really needs for PTC, the status of PTC including what regulators do and do not require regarding spectrum, etc.)[*], which thus far are at best contradicted by other credible information and by some internal SCRAA documents.

[*] This is even before SCRAA's most recent filing seeking conditional grant from the FCC and its getting support for that from PTC 220: Those only compound the issues and in my companies' view the unlawful actions and position of SCRAA. Those show disregard for fundamental FCC law and well known court precedents: SCRAA cannot cure defects in the MCLM spectrum by its asserted public-agency special needs, even if those were valid and properly shown (which they are not in this matter). Its

proposal to the FCC is that, even if later the FCC determines in its now-ongoing investigations that MCLM violated FCC rules and was not qualified to receive the spectrum effective as of the date of disqualification (in this case, from the date the license was issued), SCRAA and MCLM should be entitled to benefit from that invalid defective license and the underlying wrongdoing of MCLM. That is not lawful or proper government. All my companies support public agencies acting under law in the public interest. We formed and donated large amounts of our FCC spectrum including in 217-222 MHz to the nonprofit foundation we created, Skybridge, for extend that to government support in many ways. However, for the same reaasons we oppose bad government as in this case to date.

Regards,
Warren Havens

From: Steven D. Miller <SMiller@hansonbridgett.com>
To: Warren Havens <warren.havens@sbcglobal.net>
Cc: Anna Barbour <Abarbour@hansonbridgett.com>; "jstobaugh@telesaurus.com" <jstobaugh@telesaurus.com>
Sent: Thu, November 4, 2010 1:39:58 PM
Subject: RE: Response to 2nd Public Records Request

Dear Mr. Havens,

As you indicated that you are going to be represented in this matter, I believe it would be more appropriate for me to have a conversation with your legal counsel. Please feel free to forward my contact information to your lawyer.

Best,
Steve

Steven D. Miller
Hanson Bridgett LLP
425 Market Street, 26th Floor
San Francisco, CA 94105
smiller@hansonbridgett.com
Tel: 415-995-5831
Fax: 415-995-3426

From: Warren Havens [mailto:warren.havens@sbcglobal.net]
Sent: Thursday, November 04, 2010 12:50 PM

To: Steven D. Miller
Cc: Anna Barbour; jstobaugh@telesaurus.com
Subject: Re: Response to 2nd Public Records Request

Mr. Miller,

You can give me a call at 510 848 7797 after 1 today if you would like to discuss. You seem to have something in mind, so I leave that to you.

I have in the past offered to discuss any matter related to the SCRAA attempted purchase of the AMTS spectrum (currently held by MCLM but for which my companies were lawful high bidders in FCC Auction 61: a matter pending before the FCC, including issues the FCC Enforcement Bureau has taken up re auction violations and misrepresentation by MCLM). In the past, SCRAA has decided to not communicate with me on these matters, including a possible settlement. I thus do not expect constructive voluntary response by SCRAA at this time, and its counsel cannot go beyond the client's position. This CPRA matter is a part of that spectrum transaction.

I will be using legal counsel for this CRPA matter, at least in the near future. One of the law firms that often represents us has a conflict with regard to SCRAA, I was just informed. But I can discuss with you decide to call.

Regards
Warren Havens

From: Steven D. Miller <SMiller@hansonbridgett.com>
To: "warren.havens@sbcglobal.net" <warren.havens@sbcglobal.net>
Cc: Anna Barbour <Abarbour@hansonbridgett.com>
Sent: Thu, November 4, 2010 8:37:13 AM
Subject: FW: Response to 2nd Public Records Request

Dear Mr. Havens,

Your November 3 email, copied below, was forwarded to me. As I think you may know from an earlier set of emails, I am a lawyer for SCRRA. I think it might be useful to have a phone conversation about your request for SCRRA public records. I'd be happy to speak to your legal counsel, or to you directly if you are representing yourself in this matter. I am unavailable this morning, but should be back in the office and generally available this afternoon after 1pm. Please feel free to give me a call at 415 995 5831.

Best,
Steven Miller

Steven D. Miller
Hanson Bridgett LLP

425 Market Street, 26th Floor
San Francisco, CA 94105
smiller@hansonbridgett.com
Tel: 415-995-5831
Fax: 415-995-3426

From: Warren Havens [mailto:warren.havens@sbcglobal.net]
Sent: Wednesday, November 03, 2010 3:56 PM
To: Tseko, Perry
Cc: jstobaugh@telesaurus.com; sandersr@scrra.net
Subject: Re: Response to 2nd Public Records Request

Mr. Tseko:
and the Officers and Board of SCRAA:

Please deliver a copy of this email to SCRAA officers to and the Secretary to the SCRAA Board, and confirm this delivery.

I called you today at 213-452-0283 at 3:30 PM. You had voice mail on. I left you a voice mail referring to matters below. I asked that you confirm receipt of this email, and to feel free to call me back if you wanted to discuss possible resolution of these matters.

Under the California Public Records Act ("CPRA"), including as summarized by the California Attorney General in the following document-- http://ag.ca.gov/publications/summary_public_records_act.pdf -- this email provides notice that we (my companies listed below including Skybridge Spectrum Foundation, and including myself individually) assert:

- (1) that SCRAA is in violation of the California Public Records Act ("CPRA") with regard to our two records requests;
- (2) that such CPRA violations cause major prejudice and damage our company's lawful interests and position before the FCC opposing SCRAA attempts to acquire AMTS radio spectrum to which our companies have pending claims (of which you have been duly informed), and cause like prejudice and damages to the public interests involved; and
- (3) that such CPRA violations contribute further to SCRAA's demonstrable lack of candor and disclosures to the FCC in this spectrum acquisition matter, including since the lack of required disclosures in said violations hide misrepresentation by SCRAA to the FCC in this proceeding as to its asserted clear need for 1 MHz of AMTS spectrum for its asserted required PTC and related matters.

In this regard, it is our position that SRAA has no basis under CPRA to withhold any documents in the categories we requested, especially any that related to due diligence undertaken by or for SCRAA or otherwise in SCRAA control of any matter in said spectrum acquisition and said FCC proceeding on that acquisition. We have evidence that you are withholding certain documents and can prove that in litigation, if needed.

In your response letter dated October 29 2011, you include:

Request NO.4

"All of the technical and operational assessments and other due diligence conducted by odor SCRAA on said potential spectrum use."

Response to Request NO.4

SCRRA is searching for, and will collect and appropriately examine what may be a

voluminous amount of records. Pursuant to California Government Code Section 6253,

we will respond to you no later than November 12, 2010 with a determination as to

whether your Request No 4 seeks copies of discloseable public records in SCRRA's

possession.

You have a similar response to Request No. 3 (but released some documents under No. 3 with said Oct 29 letter).

Since it is clear (and again, we have evidence) that SCRAA holds due diligence documents of the sort requested, and it is also clear that SCRAA cannot possibly not know where they are located-- including since they are central to said spectrum acquisition and proceeding, and since SCRAA has recently filed a motion with the FCC to conclude its decision in these matters [*]-- we assert that SCRAA is in deliberate violation of CPRA by not releasing the rest of the requested documents in the time limit imposed by CPRA, which has past.

[*] To expand on this point: No company or agency of any substance and validity does not have in easily accessible files, especially in modern times where all or most all documents are in electronic form that provides easy access via searches by file name, key words, content, etc.) would not have almost immediate access to the documents in the categories we requested, and again, in particular those that contain the fundamental due diligence on a major transaction of this sort that SCRAA is actively pursuing before a federal agency (the FCC in this case).

CPRA does not allow you to withhold including by delay beyond the statutory deadline some responsive documents you know of, on the basis that you are looking for others documents that may also be found that are also responsive.

Based on the above, if SCRAA does not by the end of this business week provide in full the documents requested in our two CPRA requests (again, including documents we know you are withholding due to

being informed by other sources), we intend to file a court case against SCRAA to compel disclosure and related relief including for costs and damages.

Sincerely,
Warren Havens
Individually and as

President

Skybridge Spectrum Foundation

V2G LLC

Environmental LLC

Verde Systems LLC

Telesaurus Holdings GB LLC

Intelligent Transportation & Monitoring Wireless LLC

Berkeley California

www.scribd.com/warren_havens <http://www.scribd.com/warren_havens>
<http://www.scribd.com/warren_havens> (for Skybridge)

www.atliswireless.com <<http://www.atliswireless.com>> <<http://www.atliswireless.com>>

www.tetra-us.us <<http://www.tetra-us.us>>

510 841 2220 x 30
510 848 7797 -direct

From: Warren Havens <warren.havens@sbcglobal.net>
To: "Tseko, Perry" <TSEKOP@scrra.net>
Cc: jstobaugh@telesaurus.com
Sent: Fri, October 29, 2010 4:25:58 PM
Subject: Re: Response to 2nd Public Records Request Mr. Tseko:

Thanks for your letter response and the documents provided with the letter in your email below.
We look forward to your completing the review your letter indicated and then receiving your further response.

FYI, regarding one item you attached: We did not receive the SCRRA motion for conditional grant (submitted and signed by Robert Gurss for SCRAA), that alleged to have been served upon us, and that was required under FCC rules. Also, as our request stated, we do have information from reliable sources that SCRRA has due diligence materials we requested: we thus look forward to receiving the documents. We do not believe any withholding exemption applies.

Sincerely,

President

Skybridge Spectrum Foundation

V2G LLC

Environmentel LLC

Verde Systems LLC

Telesaurus Holdings GB LLC

Intelligent Transportation & Monitoring Wireless LLC

Berkeley California

www.scribd.com/warren_havens <http://www.scribd.com/warren_havens>
http://www.scribd.com/warren_havens> (for Skybridge)

www.atliswireless.com <<http://www.atliswireless.com>> <http://www.atliswireless.com>>

www.tetra-us.us<<http://www.tetra-us.us>>

510 841 2220 x 30
510 848 7797 -direct

From: "Tseko, Perry" <TSEKOP@scrra.net>

To: "warren.havens@sbcglobal.net" <warren.havens@sbcglobal.net>

Sent: Fri, October 29, 2010 3:45:03 PM

Subject: Response to 2nd Public Records Request Dear Mr. Havens please see letter of response and attachments.

Perry Tseko Jr.
Records Management Specialist

Tel: 213-452-0283
Fax: 213-452-0435

[cid:1.1760834171@web82807.mail.mud.yahoo.com]

[cid:2.1760834171@web82807.mail.mud.yahoo.com]<<http://www.metroinktrains.com/>>